

**RECEIVED**

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

DEC 03 2007 *aw*  
MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

United States of America ex rel.

Marion L. Harting #K-84655  
(Full name and prison number)  
(Include name under which convicted)

PETITIONER

CASE  
NO:

(Supplied by Clerk of this Court)

vs. Chicago Police

Department 25<sup>th</sup> district  
(Warden, Superintendent, or authorized  
person having custody of petitioner)

RESPONDENT, and

(Fill in the following blank only if judgment  
attacked imposes a sentence to commence  
in the future)

ATTORNEY GENERAL OF THE STATE OF

ILLINOIS  
(State where judgment entered)

Grand and Central police  
Station  
Chicago, IL.

Case Number of State Court Conviction:

**PETITION FOR WRIT OF HABEAS CORPUS - PERSON IN STATE CUSTODY**

1. Name and location of court where conviction entered: \_\_\_\_\_
2. Date of judgment of conviction: \_\_\_\_\_
3. Offense(s) of which petitioner was convicted (list all counts with indictment numbers, if known)  
\_\_\_\_\_
4. Sentence(s) imposed: \_\_\_\_\_
5. What was your plea? (Check one)
 

(A) Not guilty	( )
(B) Guilty	( )
(C) Nolo contendere	( )

If you pleaded guilty to one count or indictment and not guilty to another count or indictment, give details:

\_\_\_\_\_

07CV6849  
JUDGE PALLMEYER  
MAGISTRATE JUDGE MASON

Revised: 7/20/05

**PART I – TRIAL AND DIRECT REVIEW**

1. Kind of trial: (Check one): Jury ( ☒ ) Judge only ( ☐ )
2. Did you testify at trial? YES ( ☐ ) NO ( ☒ )
3. Did you appeal from the conviction or the sentence imposed? YES ( ☐ ) NO ( ☒ )

(A) If you appealed, give the

- (1) Name of court: (NO APPEAL)
- (2) Result: \_\_\_\_\_
- (3) Date of ruling: \_\_\_\_\_
- (4) Issues raised: \_\_\_\_\_

(B) If you did not appeal, explain briefly why not:

THIS CASE HAS NO VALIDITY TO PENDING LAW SUIT!

4. Did you appeal, or seek leave to appeal, to the highest state court? YES ( ☐ ) NO ( ☒ )

(A) If yes, give the

- (1) Result: \_\_\_\_\_
- (2) Date of ruling: \_\_\_\_\_
- (3) Issues raised: \_\_\_\_\_

(B) If no, why not:

DIFFERANT REASON, CASE, OR CAUSE!

5. Did you petition the United States Supreme Court for a writ of *certiorari*? Yes ( ☐ ) No ( ☒ )

If yes, give (A) date of petition: \_\_\_\_\_ (B) date *certiorari* was denied: \_\_\_\_\_

**PART II – COLLATERAL PROCEEDINGS**

1. With respect to this conviction or sentence, have you filed a post-conviction petition in state court?

YES ( ) NO ☒

With respect to *each* post-conviction petition give the following information (use additional sheets if necessary):

A. Name of court: DOES NOT APPLY

B. Date of filing: \_\_\_\_\_

C. Issues raised: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

D. Did you receive an evidentiary hearing on your petition? YES ( ) NO ☒

E. What was the court's ruling? NONE

F. Date of court's ruling: \_\_\_\_\_

G. Did you appeal from the ruling on your petition? YES ( ) NO ☒

H. (a) If yes, (1) what was the result? \_\_\_\_\_

(2) date of decision: \_\_\_\_\_

(b) If no, explain briefly why not: NO APPEAL

I. Did you appeal or seek leave to appeal this decision to the highest state court?

YES ( ) NO ☒

(a) If yes, (1) what was the result? \_\_\_\_\_

(2) date of decision: \_\_\_\_\_

(b) If no, explain briefly why not: CONVICTION ALMOST COMPLETED

2. With respect to this conviction or sentence, have you filed a petition in a **state court** using any other form of post-conviction procedure, such as *coram nobis* or habeas corpus? YES ( ) NO (☒)

A. If yes, give the following information with respect to each proceeding (use separate sheets if necessary):

- |  |             |
|--|-------------|
| 1. Nature of proceeding                                | <u>NONE</u> |
| 2. Date petition filed                                 | <u></u>     |
| 3. Ruling on the petition                              | <u></u>     |
| 4. Date of ruling                                      | <u></u>     |
| 5. If you appealed, what was the ruling on appeal?     | <u></u>     |
| 6. Date of ruling on appeal                            | <u></u>     |
| 7. If there was a further appeal, what was the ruling? | <u></u>     |
| 8. Date of ruling on appeal                            | <u></u>     |

3. With respect to this conviction or sentence, have you filed a previous petition for habeas corpus in **federal court**? YES ( ) NO (☒)

A. If yes, give name of court, case title and case number: \_\_\_\_\_

B. Did the court rule on your petition? If so, state

- (1) Ruling: NONE
- (2) Date:

4. With respect to this conviction or sentence, are there legal proceedings pending in any court, other than this petition? YES ( ) NO (☒)

If yes, explain: \_\_\_\_\_